

United States District Court

for the

DISTRICT OF MINNESOTA**United States v. Tathony M. Brown****Docket No. 0864 0:19CR00247-001(PAM)****Amended Petition on Supervised Release**

COMES NOW **Kelly N. Moser**, U.S. PROBATION OFFICER OF THE COURT, presenting an official report upon the conduct and attitude of **Tathony M. Brown** who was sentenced for Felon in Possession of a Firearm on May 4, 2017, by the Honorable Ronnie L. White in the Eastern District of Missouri, who fixed the period of supervision at 2 years supervised release, and imposed the general terms and conditions theretofore adopted by the Court and also imposed special conditions and terms as follows:

- Participate in drug/alcohol treatment program
- Substance abuse testing
- Submit to searches
- Psychological/psychiatric counseling/treatment
- Education programming
- Special assessment \$100.00

On October 22, 2019, Your Honor accepted jurisdiction of this case.

On May 18, 2020, supervised release was revoked due to a conviction in state court for Fleeing a Peace Officer in a Motor Vehicle. He was ordered to time served and placed back on supervised release with the same terms and conditions until the original expiration date of August 1, 2021. Supervision commenced on May 19, 2020.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

MANDATORY CONDITION: You must refrain from any unlawful use of a controlled substance.

On September 23, 2020, the defendant tested positive for marijuana.

SPECIAL CONDITION: You must submit to substance abuse testing to determine if you have used prohibited substance. You must not attempt to obstruct or tamper with the testing methods.

On October 13, 2020, and December 3, 2020, the defendant failed to report for drug testing.

SPECIAL CONDITION: You must participate in a substance abuse treatment program and follow the rules and regulations of that program. The probation officer will supervise your participation in the program (provider, location, modality, duration, intensity, etc.)

On October 16, 2020, October 23, 2020, and December 2, 2020, the defendant failed to contact the treatment provider to set up a substance abuse assessment as instructed.

STANDARD CONDITION: After initially reporting to the probation office, you will receive instructions from the court or the probation officer about how and when you must report to the probation officer, and you must report to the probation officer as instructed.

On November 4, 2020, after receiving information that the defendant had left the District of Minnesota, a message was left for the defendant to report to the U.S. Probation Office, but the defendant failed to report. A letter was sent to the defendant to report on November 12, 2020, and he again failed to report.

Additional Violations:

MANDATORY CONDITION: You must not commit another federal, state, or local crime.

On January 23, 2021, the defendant was charged in Hennepin County District Court for Obstruct Legal Process-Lawful Execution Legal Process for an incident that happened on January 22, 2021. The next hearing date is scheduled for May 12, 2021.

MANDATORY CONDITION: You must refrain from any unlawful use of a controlled substance.

On February 9, 2021, the defendant tested positive for marijuana.

On March 4, 2021, the defendant provided a urine sample that had a presumptive positive for marijuana. Results are pending.

SPECIAL CONDITION: You must participate in a substance abuse treatment program and follow the rules and regulations of that program. The probation officer will supervise your participation in the program (provider, location, modality, duration, intensity, etc.)

As of March 5, 2021, the defendant has failed to contact the treatment provider to set up a substance abuse assessment as instructed on January 28, 2021.

SPECIAL CONDITION: You must participate in an educational services program and follow the rules and regulations of that program. Such programs may include high school equivalency preparation, English as a Second Language classes, and other classes designed to improve your proficiency in skills as reading, writing, mathematics, or computer use.

As of March 5, 2021, the defendant has failed to participate in educational services as instructed on January 28, 2021.

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RE: **Tathony M. Brown**
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PRAYING THAT THE COURT WILL ORDER that the Petition submitted on January 12, 2021, be amended by the addition of the violations noted herein.

ORDER OF THE COURT

Considered and ordered this 9th day
of March, 2021, and ordered filed
and made a part of the records in the above
case.



Honorable Paul A. Magnuson
Senior U.S. District Judge

I declare under penalty of perjury that the
foregoing is true and correct.

s/ Kelly N. Moser

Kelly N. Moser
U.S. Probation Officer
Telephone: 612-664-5355

Executed on March 5, 2021

Place Minneapolis

Approved:

s/ Reginald B. Hall

Reginald B. Hall
Supervising U.S. Probation Officer